IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4325 OF 2003

IN

CROSS OBJECTION NO. 229 OF 1987

IN

FIRST APPEAL NO. 465 OF 1986

Chagan Shankar Sargule ..Applicant

versus

The State of Maharashtra ..Respondent

Mr. N. V. Walawalkar for the Applicant.

Mr. K. K. Tated A.G.P. for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 3RD FEBRUARY,2005

P.C. (IN CHAMBER) :

1. The matter is on board for speaking to the Minutes of my Order dated 13.1.2005. Mr. Walawalkar Counsel for the Applicant and Mr. Tated, learned AGP for the State present.

2. While passing the said order the interest rate was reduced to 6% per annum on the basis of the

Judgment of the Supreme Court reported in **2000(7)SCC 756 Krishi Utpadan Mandi Samiti vs. Kanhaiya Lal and others.** Mr. Walawalkar pointed out that the judgment is not applicable as the award is subsequent to the amendment i.e. dated 28.2.1985. Mr. Tated does not dispute this position. Therefore, order dated 13.1.2005 stands modified. The interest claimed at the rate of 9% per annum is awarded as per the provisions of the Land Acquisition Act. Order stands correctly accordingly.

3. Parties to act on an ordinary copy of this order duly authenticated by the Court Sheristedar.

3.2.2005 (D.G. DESHPANDE,J.)